

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71266

This is to certify that: BERNARD L BROWN
655 E 19TH N
MOUNTAIN HOME ID 83647
(208)631-2965

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
61-7119	WR/License	07/10/1972	5.24 cfs	1048 af	262.0	364.0	GROUND WATER
61-2155	WR/Decreed	01/14/1963	5.86 cfs	1232 af	N/A	308.0	GROUND WATER
61-2154	WR/Decreed	01/14/1963	5.44 cfs	1088 af	272.0	799.0	GROUND WATER
61-7005	WR/Decreed	08/23/1967	5.24 cfs	1280 af	320.0	799.0	GROUND WATER
61-7396	WR/Decreed	01/04/1980	2.20 cfs	640 af	160.0	799.0	GROUND WATER
61-10378	WR/Decreed	04/30/1974	0.80 cfs	N/A	47.0	799.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-7119	NO	NO	YES	YES	NO	NO
61-2155	NO	NO	YES	YES	NO	NO
61-2154	NO	NO	YES	YES	NO	NO
61-7005	NO	NO	YES	YES	NO	NO
61-7396	NO	NO	YES	YES	NO	NO
61-10378	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-7119	61-7119	5.24 cfs	1048 af	262.0	1,459.0		N/A	N/A	N/A	N/A
61-2155	61-2155	5.86 cfs	1232 af	308.0	1,459.0		N/A	N/A	N/A	N/A
61-2154	61-2154	5.44 cfs	1088 af	272.0	1,459.0		N/A	N/A	N/A	N/A
61-7005	61-7005	5.24 cfs	1280 af	320.0	1,459.0		N/A	N/A	N/A	N/A
61-7396	61-7396	2.20 cfs	640 af	160.0	1,459.0		N/A	N/A	N/A	N/A
61-10378	61-10378	0.80 cfs	N/A	47.0	1,459.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		18.74cfs	4976 af	1244.0	1459.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of December, 20 04



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE #61-2154

WATER RIGHT NO. 61-7119
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7119 is now described as follows.

Right Holder: BERNARD L BROWN And/Or
 NORMA JEAN BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: July 10, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	5.24 CFS	1,048.0 AF
			5.24 CFS	1,048.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	06E	17											40.0	40.0					80.0
04S	06E	18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
									L 2										
04S	06E	19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
									L 1	L 2		L 3	L 4						
04S	06E	20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-7119
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
7. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
8. This right is limited to the irrigation of 262 acres within the place of use described above in a single irrigation season.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. Rights 61-2154, 61-2155, 61-7005, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-7005
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7005 is now described as follows.

Right Holder: BERNARD L BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: August 23, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	10/15	5.24 CFS	1,280.0 AF
			5.24 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 17											40.0	40.0					80.0
04S 06E 18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
							L 2										
04S 06E 19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
						L 1	L 2			L 3	L 4						
04S 06E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-7005
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
7. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
8. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/27/2003.
12. Rights 61-2154, 61-2155, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-7396
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7396 is now described as follows.

Right Holder: BERNARD L BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: January 04, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	to 11/15	2.20 CFS	640.0 AF
			2.20 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 17											40.0	40.0					80.0
04S 06E 18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
							L 2										
04S 06E 19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
						L 1	L 2			L 3	L 4						
04S 06E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-7396
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
7. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
8. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
9. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. Rights 61-2154, 61-2155, 61-7005, 61-7119 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-10378
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-10378 is now described as follows.

Right Holder: BERNARD L BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: April 30, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15 to	11/15	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 17											40.0	40.0					80.0
04S 06E 18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
							L 2										
04S 06E 19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
						L 1	L 2			L 3	L 4						
04S 06E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-10378
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
7. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 5.44 cfs and a total annual maximum diversion volume of 1276.0 af at the field headgate.
8. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
9. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
10. This right is for an enlargement of 47 acres within the place of use described above.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
13. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
14. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.
15. Rights 61-2154, 61-2155, 61-7005, 61-7119 and 61-7396 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-2154
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-2154 is now described as follows.

Right Holder: BERNARD L BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: January 14, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	5.44 CFS	1,080.0 AF
			5.44 CFS	1,088.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 17											40.0	40.0					80.0
04S 06E 18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
							L 2										
04S 06E 19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
						L 1	L 2			L 3	L 4						
04S 06E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-2154
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
7. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 5.44 cfs and a total annual maximum diversion volume of 1276.0 af at the field headgate.
8. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
9. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
10. This right is limited to the irrigation of 272 acres within the place of use described above in a single irrigation season.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
13. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.
14. Rights 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-2155
As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-2155 is now described as follows.

Right Holder: BERNARD L BROWN
 655 E 19TH N
 MOUNTAIN HOME ID 83647

Priority Date: January 14, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31		5.86 CFS	1,232.0 AF
			5.86 CFS	1,232.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 17											40.0	40.0					80.0
04S 06E 18							43.0	40.0					40.0	40.0	40.0	40.0	243.0
							L 2										
04S 06E 19	40.0	40.0	40.0	40.0	40.0	44.0	44.0	40.0	40.0	44.0	44.0	40.0	40.0	40.0	40.0	40.0	656.0
						L 1	L 2			L 3	L 4						
04S 06E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	480.0

Total Acres: 1459

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 61-2155
As Modified by Transfer No. 71266

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
7. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
8. This right is limited to the irrigation of 308 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 20 04


Chief, Water Allocation Bureau